

Section 120.3, Title 14, CCR is amended to read:

Prawns may only be taken by trawl nets for commercial purposes pursuant to sections 120 and 120.3 of these regulations, or by traps, pursuant to sections 180, 180.2, 180.5 and this section. Spot prawns may not be taken or possessed using trawl nets.

Permits to use or possess trawl nets for the taking of golden prawns, ~~spot prawns~~ and ridgeback prawns in ocean waters may be granted only under the following conditions:

(a) Qualifications of Permittee. The applicant must be a licensed commercial fisherman and operator of a currently registered commercial fishing vessel.

(b) Cost of Permit. See subsection 699(b) of these regulations for the fee for this permit. (NOTE: this fee shall be charged effective April 1, 1992.)

(c) Observer fee. All vessels landing spot prawns taken by trawl from July 14, 2000, to March 31, 2001, must show proof of payment of an observer fee which shall range from \$250 to \$1,000. The actual fee shall be based on the total amount of spot prawns landed during the period January 1 to December 31, 1998, or January 1 to December 31, 1999, whichever is higher, as follows: (1) \$250 for each trawl vessel landing less than 1,000 pounds in each year for 1998 and 1999; (2) \$500 for each trawl vessel landing from 1,000 to 9,999 pounds in 1998 or 1999; (3) \$1,000 for each trawl vessel landing 10,000 pounds or more in 1998 or 1999. All funds from this fee will be used to place department observers onboard spot prawn trap and trawl vessels to obtain information on bycatch.

(d) Permit Area. Trawling for golden, ~~spot~~ and ridgeback prawns shall be permitted in waters not less than 25 fathoms in depth and lying not nearer than three nautical miles distance from the nearest point of land on the mainland shore, and from all offshore islands. Trawling shall not be conducted within District 19A which shall include a line from Malibu Point (34o01.8'N., 118o40.8'W) to Rocky Point (Palos Verdes Point) (33o46.5'N., 118o25.7'W.).

(1) Trawling Zones.

(A) Trawling Zone 1: Includes waters between the California-Oregon border and a line extending due west from False Cape (Lat. 40o31').

(B) Trawling Zone 2: Includes those waters between a line extending due west from False Cape and a line extending due west from Lopez Point (Lat. 36o).

(C) Trawling Zone 3: Includes those waters between a line extending due west from Lopez Point and a line extending due west from Point Arguello (Lat. 34o35').

(D) Trawling Zone 4: Includes those waters between a line extending due west from Point Arguello and a line extending due west from Point Dume (Lat. 34o0').

(E) Trawling Zone 5: Includes those waters lying between a line extending due west from Point Dume and the California-Mexico boundary, excluding Fish and Game Districts 19A, 19B, 20, 20A and 21.

(e) Restricted Catch Period:

~~(1) Trawling for spot prawns in all zones shall be subject to the incidental catch restrictions pursuant to subsection (h) from November 1 through January 31.~~

~~———(2) Trawling for ridgeback prawns in all zones shall be subject to the incidental catch restrictions pursuant to subsection (h) from June 1 through September 30.~~

(f) Gear Specifications.

(1) Trawl nets with single-walled bag or cod-end: The mesh of any webbing shall not be less than 1 ½ inches in length.

(2) Trawl nets with double-walled bag or cod-end: The mesh of any webbing or liner shall not be less than 3 inches in length. The lines and cod-end shall be tied together along the rib lines.

(3) Mesh measurement. Minimum trawl mesh size requirements are met if a standard stainless steel wedge of appropriate gauge can be passed with thumb pressure only through 16 of 20 sets of two meshes each of wet mesh in the cod-end.

~~————(4) Fish excluders. All trawl nets used to fish spot prawns must be equipped with a functional finfish excluder with a minimum surface area of thirty-six square inches unless a double-walled cod-end with a minimum mesh size of three inches is used.~~

(g) Limitation of Gear.

(1) No net, the meshes of which are less than prescribed in these regulations, may be possessed on any vessel which is operating under the provisions of a golden prawn, ~~spot prawn~~ or ridgeback prawn permit.

(2) All fishing gear used under the provisions of these regulations is subject to inspection and approval by the department at any time.

(3) On request, any authorized representative of the department shall be permitted to travel on the permittee's boat to observe golden prawn, ~~spot prawn~~ or ridgeback prawn trawling operations.

(h) Incidental Catch Restrictions.

(1) Not more than 1,000 pounds of any fish caught incidentally with pink shrimp, golden or ridgeback prawns may be possessed on any boat operating under a permit as provided in these regulations. Fisherman should refer to subsection 189(a), Title 14, CCR, for bycatch limits of federally-managed groundfish species. Any amount of sea cucumbers taken incidentally may be possessed if the owner or operator of the vessel possesses a permit to take sea cucumbers pursuant to Section 8396 of the Fish and Game Code.

(2) During the restricted catch period for ridgeback prawns, loads of fish shall not contain more than 50 pounds without restriction or 15 percent, by weight, of ridgeback prawns. For the purpose of this regulation, species of fish other than spot prawns shall not be included in the determination of the percentage of ridgeback prawns taken or possessed in any load of fish containing mixed species.

(3) ~~During the restricted catch period for spot prawns,~~ Trawl loads of fish shall not contain more than 50 pounds without restriction or 15 percent, by weight, of spot prawns. For the purpose of this regulation, species of fish other than ridgeback prawns shall not be included in the determination of the percentage of spot prawns taken or possessed in any load of fish containing mixed species.

(i) Records. Pursuant to Section 190 of these regulations, each permittee shall complete and submit an accurate record of his fishing activities on a form (Shrimp/Prawn Trawl Log, DFG 120 (10/89), see Appendix A) provided by the department.

(j) Conditions of Permit. The provisions of the California Fish and Game Code relating to commercial fishing, except as modified by the provisions of these regulations, shall be a condition of all permits to be fully performed by the holders thereof, their agents, servants, employees, or those acting under their direction and control.

(k) Revocation of Permits. All permits may be revoked and cancelled by the commission upon the breach or violation of any fish and game law or regulation or violation of the terms or conditions of this permit by the holders thereof, their agents, servants, employees or those acting under their direction and control.

NOTE

Authority cited: Sections 240, 710.7, 711 and 8842, Fish and Game Code. Reference: Sections 240, 710.7, 711, 8140 and 8842, Fish and Game Code.